

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

MINTVEST CAPITAL, LTD.

Plaintiff,

v.

NYDIG TRUST COMPANY;  
NYDIG MINING LLC; and STONE  
RIDGE HOLDINGS GROUP, LP,

Defendants.

) Case No.: 25-1019 (FAB-MEL)  
 ) **FEDERAL SECURITIES LAW**  
 ) **VIOLATIONS,**  
 ) **UNJUST ENRICHMENT**  
 ) **BREACH OF CONTRACT,**  
 )  
 ) **THIRD PARTY BENEFICIARY**  
 )  
 ) **31 L.P.R.A. 3374**  
 )  
 ) **DEMAND FOR JURY TRIAL**  
 )

**REPLY TO REONSE TO OBJECTION TO REPORT AND RECOMMENDATION**

**TO THE HONORABLE COURT:**

**COMES NOW**, the plaintiff, **MINTVEST CAPITAL, LTD.**, through the undersigned attorneys, and respectfully states, alleges and prays as follows:

1. Defendants' discussion of imposing opposing parties' attorneys fees presumes that is the norm. This is incorrect. Instead, "a court's inherent power to shift attorneys' fees should be used sparingly and 'reserved for egregious circumstances.'" *Whitney Bros. v. Sprafkin*, 60 F.3d 8,13 (1<sup>st</sup> Cir. 1995), quoting *Jones v. Winnepeaukee Realty, Inc.* 990 F2d 1, 3 (1<sup>st</sup> Cir. 1993).

**WHEREFORE**, plaintiff, Mintvest, LLC very respectfully requests this Honorable Court to reject the Report and Recommendation to the extent that it recommends the imposition of Defendants' attorneys' fees.

**RESPECTFULLY SUBMITTED**, in San Juan, Puerto Rico on July 23, 2025

**CERTIFICATE OF SERVICE**

**I HEREBY INFORM:** that on this date I have filed and uploaded this document to the CM/ECF system for notice to all parties.

S/Jane Becker Whitaker/  
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